

3

WALTER & WILHELM LAW GROUP  
a Professional Corporation  
Riley C. Walter #91839  
Norman D. Morrison IV #212090  
8305 North Fresno Street, Suite 410  
Fresno, California 93720  
Telephone: (559) 435-9800  
Facsimile: (559) 435-9868  
E-mail: rileywalter@W2LG.com

Attorneys for Debtor in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

In re

KENNETH R. HALE,  
Debtor in Possession.

Tax ID#: xxx-xx-5346  
Address: 23820 West Adams  
San Joaquin, CA 93660

CASE NO. 09-13995

Chapter 11

DC No.: WW-18

Date: February 25, 2010  
Time: 9:00 o'clock  
Place: 2500 Tulare Street  
Fresno, California  
Courtroom 12  
Judge: Honorable W. Richard Lee

**MOTION FOR AUTHORITY TO SELL PERSONAL PROPERTY OF  
THE ESTATE PURSUANT TO 11 U.S.C. § 363**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Kenneth R. Hale, Debtor in Possession (hereinafter "Debtor"), by and through its counsel, hereby moves this Court for an Order authorizing the Debtor in Possession to sell certain personal property of the estate ("Assets") pursuant to 11 U.S.C. § 363 and B.R. 9014, as follows:

1. The subject Chapter 11 case was filed on May 1, 2009, and the Debtor remains as Debtor in Possession.

2. This Motion is based upon the information contained in the Brief in

1 support and the Declaration of Kenneth R. Hale filed concurrently herewith.

2 3. The decision has been made to liquidate the Debtor's 2005 Jeep, UT,  
3 Vehicle Identification Number 1J4FA39S25P376432 ("Assets" or "Vehicles"). The  
4 Debtor intends to sell the high mileage Vehicle to a private party for the sum of  
5 \$12,000 and purchase another used vehicle with low mileage. A copy of the  
6 Certificate of Title is attached to the Declaration of Kenneth Hale as Exhibit "A."

7 4. The decision has been made to liquidate the Debtor's 2005 Ford, PK,  
8 Vehicle Identification Number 1FTSW21P25ED22101 ("Assets" or "Vehicles").  
9 The Debtor intends to sell the high mileage Vehicle to a private party for the sum  
10 of \$15,000 and purchase another used vehicle with low mileage. A copy of the  
11 Certificate of Title is attached to the Declaration of Kenneth Hale as Exhibit "B."

12 5. The Assets to be sold by this Motion consist of the Assets described  
13 in the Declaration of Kenneth R. Hale.

14 6. Subject to Court approval, the proceeds of sale will be used to pay for  
15 the purchase of two used low mileage vehicles.

16 7. The Assets to be sold are clear of security interests or claims.

17 8. The purchase agreements will be appended to the proposed Order  
18 granting this Motion.

19 9. The proceeds of sale will be held pending further Court Order.

20 WHEREFORE, Debtor prays for an Order as follows:

21 A. For authorization to sell the Assets to the Buyers and use the  
22 proceeds as requested herein;

23 B. For a finding that the Debtor has complied with all applicable notice  
24 procedures regarding the Motion for Authority to Sell Personal Property;

25 C. For authorization to the Debtor to execute any and all documents  
26 reasonably necessary to effectuate the sales requested by the Motion;

27 D. For waiver of the ten-day stay of BR 6004(g); and

28 ///

